

PATENT COOPERATION TREATY

PCT



522066

translation

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 663909	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/JP2003/009407	International filing date (day/month/year) 24 July 2003 (24.07.2003)	Priority date (day/month/year) 24 July 2002 (24.07.2002)	
International Patent Classification (IPC) or national classification and IPC H04N 5/232			
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.			

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☒ (sent to the applicant and to the International Bureau) a total of 6 sheets, as follows:
 - ☒ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
- This report contains indications relating to the following items:
 - ☒ Box No. I Basis of the report
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☒ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
 - ☐ Box No. VII Certain defects in the international application
 - ☐ Box No. VIII Certain observations on the international application

Date of submission of the demand 24 February 2004 (24.02.2004)	Date of completion of this report 22 October 2004 (22.10.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2003/009407

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☐ The international application as originally filed/furnished

☒ the description:

pages _____ 1-31, 33-48 _____, as originally filed/furnished
pages* _____ 32 _____ received by this Authority on _____ 13 August 2004 (13.08.2004)
pages* _____ received by this Authority on _____

☒ the claims:

pages _____, as originally filed/furnished
pages* _____, as amended (together with any statement) under Article 19
pages* _____ 13, 18 _____ received by this Authority on _____ 24 February 2004 (24.02.2004)
pages* _____ 1, 5-7, 10, 14-17 _____ received by this Authority on _____ 13 August 2004 (13.08.2004)

☒ the drawings:

pages _____ 1-23 _____, as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☒ the claims, Nos. _____ 2-4, 8, 9, 11, 12 _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has:
- ☐ restricted the claims.
 - ☐ paid additional fees.
 - ☐ paid additional fees under protest.
 - ☐ neither restricted nor paid additional fees.
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

The technical matter common to the respective claims is "an image pickup system, comprising (1) an image pickup device for delivering plural digital signals showing the quantities of light irradiated to plural pixels when the plural pixels are irradiated with the light, (2) a preprocessing (data quantity decreasing) device for decreasing the data quantity of the digital signals delivered by the said image pickup device, (3) a storage device for storing the digital signals, and (4) a storage control means for (a) storing the digital signals delivered by the said preprocessing device into the said storage device and (b) reading and delivering the said digital signals from the said storage device." However, this constitution is well known. So, the invention relating to claim 1, the invention relating to claims 5-7, 16 and 18 (the portion quoting claim 7 in claim 18), the invention relating to claims 10 and 13-15, and the invention relating to claims 17 and 18 (the portion quoting claim 17 in claim 18) are not so linked as to form a single general inventive concept, since there is no technical relationship among those inventions involving one or more of the same or corresponding technical features.

4. Consequently, this report has been established in respect of the following parts of the international application:

- ☐ all parts.
- ☒ the parts relating to claims Nos. 1, 5-7, 10, 13-18

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1, 5-7, 10, 13-18	YES
	Claims		NO
Inventive step (IS)	Claims	1, 5-7, 10, 13-16	YES
	Claims	17, 18	NO
Industrial applicability (IA)	Claims	1, 5-7, 10, 13-18	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document 1: JP, 2000-92376, A (Sony Corp.), 31 March, 2000 (31.03.00), full text, all drawings
Document 2: JP, 2000-59656, A (Minolta Co., Ltd.), 25 February, 2000 (25.02.00), full text, all drawings

The subject matters of claims 17 and 18 do not appear to involve an inventive step in view of documents 1 and 2 cited in the ISR. A person skilled in the art could have easily used the constitution described in document 2 in which gradation is compressed in gamma correction processing, in the gamma correction processing of document 1.

The subject matters of claims 1, 5-7, 10 and 13-16 are neither described in any of the documents cited in the ISR nor obvious to a person skilled in the art.